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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

AHMED KHALID BULLOCK,

Defendant and Appellant.

D077345

(Super. Ct. No. SCD283629)

APPEAL from a judgment of the Superior Court of San Diego County, Carolyn M. Caietti, Judge. Affirmed.

Janice R. Mazur, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

FACTUAL BACKGROUND

Defendant's counsel has set forth a detailed statement of facts. Briefly, on August 17, 2019, a group of friends were gathered at a home in Mira Mesa. A fire started at a gate attached to the house. Defendant was seen standing in the front yard. There was an exchange between one of the people in the group and defendant. The fire was put out using water from a

swimming pool on the property. Benny L., a member of the group, came out and spoke to defendant, whom he recognized as “Shake,” a person who lived in the neighborhood. Defendant told Benny, “I’m done. I’m out” and then he rode away on a bike. Benny and Jill B. then got in their car and tried to find defendant. As they did, a member of the group found a small bottle containing what appeared to be gasoline with two-stroke oil in the driveway.

Approximately 15 minutes later while Benny and Jill were gone, a second fire started on a gate at the north side of the house, which was connected to the house. It too was extinguished with water from the pool. Nobody actually saw defendant light either fire. Jill had seen defendant a week earlier when he attempted to jump over the gate at the north side of the house. She told him to get off of her property.

An arson investigator for the San Diego Fire Department concluded the two fires were incendiary and that an ignitable fluid had been used in both fires.

On October 7, 2019, defendant and Westley S. had words at a 7-Eleven market on Goldcoast Drive in San Diego. Westley knew defendant as “Shake.” The defendant followed Westley into the store. When Westley left the store, the soft top of his car was on fire. As a friend helped put the fire out, the defendant was standing in front of the car, watching.

It was determined the fire was ignited with some type of lighter fluid.

When law enforcement were called to the scene of the car fire, a San Diego police officer saw defendant on a bike and sought to question him. Defendant ran away. A foot pursuit followed. Defendant hid in a nearby apartment patio closet area. He was found and arrested. Four working Bic lighters were found on his person.

PROCEDURAL BACKGROUND

On October 10, 2019, a complaint was filed against defendant by the San Diego District Attorney. He was charged with arson of an inhabited structure in violation of Penal Code¹ section 451, subdivision (b), count 1; arson of property in violation of section 451, subdivision (d), count 2; burglary in violation of section 459, count 3; and possession of flammable material, in violation of section 453, subdivision (a), count 4. It was further alleged that with regard to counts 1 and 2, defendant used a device designed to accelerate the fire, within the meaning of section 451.1. Finally, it was alleged that defendant had multiple probation denial priors within the meaning of section 1203, subdivision (e)(4).

The complaint was thereafter deemed an information. On January 13, 2020, a jury returned guilty verdicts on all four counts, and a true finding on the section 451.1 allegation as to count 1.

On February 26, 2020, probation was denied and defendant was sentenced to a total prison term of 12 years.

A timely notice of appeal was filed.

ANALYSIS

Counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 (*Anders*). Counsel states she has thoroughly read the record and consulted with Appellate Defenders, Inc. She indicates she has found no specific contentions as grounds for relief. She has also notified defendant of his right to file a pro. per. brief independent of counsel's brief.

¹ All further statutory references are to the Penal Code unless otherwise noted.

Pursuant to case law, we have also reviewed the record. We find no issues upon which defendant is entitled to modification or reversal of his case, including his sentence.

As part of her appeal, and to assist the court in our review, counsel directs our attention to four questions raised pursuant to *Anders*, including 1) whether the trial court abused its discretion in allowing defendant to be impeached with three prior theft convictions, 2) whether the trial court erred in excluding evidence of criminal convictions sustained by two of the prosecution's witnesses, 3) whether the court erred in instructing the jury that a fixture affixed to realty is considered an integral part of the structure, and 4) whether the court should have stayed the sentence for burglary in count 3 because the act of entering the store was to obtain a means to start the car fire. We conclude the *Anders* questions have no merit and would not result in reversal or modification.

Defendant has not filed a supplemental brief on his own behalf.

Defendant has been represented by competent counsel on appeal.

DISPOSITION

The judgment is affirmed.

BENKE, Acting P. J.

WE CONCUR:

HUFFMAN, J.

GUERRERO, J.